

LOWER MANHATTAN LOFT TENANTS
TESTIMONY REGARDING
PROPOSED RULE
SECTION 2-11.1

My name is Bill Hall.

I am a Loft Tenant residing on the Third Floor of 59 Warren Street, nearby in Tribeca.

We would like to begin by giving credit where it is due. The Bloomberg Administration has done more to implement the Loft Law than all of its' predecessors combined.

Since the Summer of 2010, Loft Board Executive Director Ms Alexander, has referred at virtually every Board meeting to the fact that the Loft Board manifestly lacks the authority to make substantive changes to the Loft Law. This has been the routine response to questions and/or criticism by Loft Tenants about Loft Board procedures and practices.

Loft Tenants felt that the expansion and permanent renewal of the Loft Law, by increasing the fine amounts from a woefully inadequate \$1000 to a bracing \$17,500, would surely provide the muscle necessary to motivate those owners still dragging their feet 30 years after the fact. Those of us who worked in Albany to help secure the eleven Loft Law Renewals between 1992 and 2010 recall the steadfast refusal of the NY State Senate to even discuss increasing the fine amounts during that time.

I initiated, Pro Se, a Non-Compliance proceeding at OATH, established the fact that the owner of 59 Warren Street had missed eleven code compliance deadlines, requested and secured an \$11,000 fine against the owner. What a compelling penalty against the owner of the largest privately held undeveloped lot in Tribeca.

So the question arises, why would the Loft Board hamstring itself, under this proposed Fine Schedule, with \$5000 fines per code compliance deadline, when the State Legislature authorized up to \$17,500? The totals still amount to, please pardon the term, chump change for many

owners - especially so when referring to 281.5 landlords facing a small number of prospective missed deadlines.

Of course, the Board must allow itself leeway in the fine schedule to accommodate extenuating circumstances. Owners ought not to receive heavy fines for circumstances beyond their control.

However, by limiting so dramatically its fine issuing powers, the Loft Board creates for itself precisely the burden it has bemoaned for so long.

Consequently, LMLT urges the Board to raise this particular fine amount to \$17,500 - as clearly intended by the State Legislature - and then exercise that authority judiciously.